



**PATENT**  
Attorney Docket No. A-71386-8  
Dorsey File No. 463077-275

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of

LAZAR, *et al.*

Serial No. 10/822,231

Filed: 03/26/04

For: *Optimized Fc Variants and Methods  
for Their Generation*

Art Unit: 1644

Examiner: Crowder, Chun

US Express Mail Receipt No. EV 695795092 US

Date: December 13, 2005

**PETITION UNDER 37 C.F.R. § 1.78(a)(6) TO ACCEPT AN UNINTENTIONALLY  
DELAYED CLAIM UNDER 35 U.S.C. §§ 119(e) FOR THE BENEFIT OF PRIOR FILED  
PROVISIONAL APPLICATION**

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

12/23/2005 MBIZUNES 00000074 10822231

04-FC:1202  
02 FC:1454

600.00 BP  
1370.00 OP

Sir:

Applicant hereby petitions to accept a delayed claim under 35 U.S.C. § 119(e). The instant application, U.S. Serial Number 10/822,231, is a non-provisional application, which is a continuation-in-part of U.S. serial number 10/672,280, filed September 26, 2003, which claims the benefit of the filing date under 35 U.S.C. § 119(e) to U.S.S.N.s 60/477,839 filed June 12, 2003; 60/467,606 filed May 2, 2003; 60/414,433 filed September 27, 2002; and 60/442,301 filed January 23, 2003, and is a continuation-in-part of U.S.S.N. 10/379,392, filed March 3, 2003

Adjustment date: 04/12/2006 CKHLOK  
12/23/2005 MBIZUNES 00000074 10822231  
02 FC:1454 -1370.00 OP

- 1 -

Repln. Ref: 04/12/2006 CKHLOK 0007340400  
DAH:502319 Name/Number:10822231  
FC: 9204 \$1370.00 CR

Serial No.: 10/822,231  
Filing Date: March 26, 2004

which claims the benefit of 35 U.S.C. § 119(e) to U.S.S.N.s 60/384,197, filed May 29, 2002 and 60/360,843, filed March 1, 2002.

This petition is accompanied by a Response to Restriction Requirement and Amendment which amends the application to reference the priority applications as required under 37 C.F.R. § 1.78(a)(2).

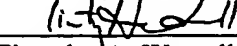
The petition is further accompanied by a check for the necessary surcharge set forth in 37 C.F.R. § 1.17(t) in the amount of \$1,370.00.

The entire delay between the date to correct a priority claim due under 37 C.F.R. § 1.78(a)(2) and the filing of this petition was unintentional.

While Applicant believes that no further fees are due at this time, the Commission is authorized to charge any fees that may be due as a result of filing this amendment, including additional claim fees not already paid for, or other fees that have not been separately paid, or credit any overpayment to Deposit Account 50-2319 (Our Order No.: A-71386-8 463077-275.)

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: December 13, 2005  
Dorsey & Whitney LLP  
Intellectual Property Department  
555 California Street, Suite 1000  
San Francisco, CA 94104-1513  
Telephone: (415) 781-1989  
Facsimile: (415) 398-3249

BY:   
Timothy A. Worrall, Reg. No. 54,552 for  
Robin M. Silva, Reg. No. 38,304

Customer Number: 32940

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND                         |                                   |   |              |          |   |   |    |   |   |   |   |
|---|-----------------------------------|---|--------------|----------|---|---|----|---|---|---|---|
| 1 Date of Request: <u>4/7/06</u>                      |                                   | 2 Serial/Patent # <u>10/822231</u>  |              |          |   |   |    |   |   |   |   |
| 3 Please refund the following fee(s):                 |                                   | 4 PAPER NUMBER  | 5 DATE FILED | 6 AMOUNT |   |   |    |   |   |   |   |
|   | Filing                            |   |              | \$       |   |   |    |   |   |   |   |
|   | Amendment                         |   |              | \$       |   |   |    |   |   |   |   |
|   | Extension of Time                 |   |              | \$       |   |   |    |   |   |   |   |
|   | Notice of Appeal/Appeal           |   |              | \$       |   |   |    |   |   |   |   |
| <input checked="" type="checkbox"/>                   | Petition                          | WFEE  | 12/13/05     | \$ 1370  |   |   |    |   |   |   |   |
|   | Issue                             |   |              | \$       |   |   |    |   |   |   |   |
|   | Cert of Correction/Terminal Disc. |   |              | \$       |   |   |    |   |   |   |   |
|   | Maintenance                       |   |              | \$       |   |   |    |   |   |   |   |
|   | Assignment                        |   |              | \$       |   |   |    |   |   |   |   |
|   | Other                             |   |              | \$       |   |   |    |   |   |   |   |
|   |                                   | 7 TOTAL AMOUNT OF REFUND  |              | \$       |   |   |    |   |   |   |   |
|   |                                   | 8 TO BE REFUNDED BY:  |              |          |   |   |    |   |   |   |   |
| 10 REASON:  |                                   | Treasury Check  |              |          |   |   |    |   |   |   |   |
|   | Overpayment                       | Credit Deposit A/C #:   |              |          |   |   |    |   |   |   |   |
| <input checked="" type="checkbox"/>                   | Duplicate Payment                 | 9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> <td style="width: 20px;">--</td> <td style="width: 20px;">2</td> <td style="width: 20px;">3</td> <td style="width: 20px;">1</td> <td style="width: 20px;">9</td> </tr> </table> |              |          | 5 | 0 | -- | 2 | 3 | 1 | 9 |
| 5   | 0                                 | --  | 2            | 3        | 1 | 9 |    |   |   |   |   |
|   | No Fee Due (Explanation):         |   |              |          |   |   |    |   |   |   |   |
|   |                                   |   |              |          |   |   |    |   |   |   |   |
|   |                                   |   |              |          |   |   |    |   |   |   |   |
|   |                                   |   |              |          |   |   |    |   |   |   |   |
| 11 REFUND REQUESTED BY:                               |                                   |   |              |          |   |   |    |   |   |   |   |
| TYPED/PRINTED NAME: <u>Sherry D. Brinkley</u>         |                                   | TITLE: <u>Patrons E</u>   |              |          |   |   |    |   |   |   |   |
| SIGNATURE: <u>[Signature]</u>                         |                                   | PHONE: <u>23204</u>   |              |          |   |   |    |   |   |   |   |
| OFFICE: <u>Patrons</u>                                |                                   |   |              |          |   |   |    |   |   |   |   |
| ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: ***** |                                   |   |              |          |   |   |    |   |   |   |   |
| APPROVED: <u>[Signature]</u>                          |                                   | DATE: <u>4/12/06</u>  |              |          |   |   |    |   |   |   |   |

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